IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 19019 of 2004

Between:

Krovvidi Ravi Veera Venkata Satya Sesha Rama Krishna,

S/o. Surya Prakasa Rao, R/o. Undeswarapuram, Village, Mirthipadu post Sithanagaram Mandal, E.G.District.

..... PETITIONER

AND

1 The Rajahmundry Municipal Corporation

Employees Coop. Credit Society Ltd., No.B.66, Rajahmundry,
rep. by its Secretary Sri N.K.V.S. Kameswara Rao,

S/o. Bayyanna Sastry, 42 years, Office of the Rajahmundry

Municipal Corporation, Rajahmundry East Godavari District.
2 Deputy Registrar of the Coop. Societies,

Prakashnagar Rajahmundry East Godavri District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ order or direction more particularly one in the nature of writ of Mandamus declaring the inaction on the part of the Respondents in not releasing the subsistence allowance to the petitioner from December 2002 till today as illegal, arbitrary violation of the provisions of Section 47 of the A.P. shops and Establishment Act and depriving the petitioner and his family members from the right of life as contemplated under Article 21 of the Constitution of the India.

Counsel for the Petitioner : MR.K.CHIDAMBARAM

Counsel for the Respondents : MR.T.S.VENKATA RAMANA

The Court at the stage of admission made the following :

ORDER:

The petitioner is a workman of the first respondent society. He was kept under suspension on certain irregularities through the proceedings of the second respondent dated 29-01-2002. He was paid subsistence allowance till November, 2002. The petitioner contends that the first respondent stopped payment of the subsistence allowance from December, 2002 while continuing him under suspension. The petitioner therefore approached this Court seeking a direction to the first respondent to pay the subsistence allowance from December, 2002 as per Section 47 of the Cl.6 of the A.P. Shops and Establishments Act.

In the light of the circumstances explained by the petitioner, the first respondent is directed to pay the arrears of subsistence allowance from December, 2002 and continue to pay the subsistence allowance according to the rules so long as the suspension continues.

The Writ Petition is accordingly disposed of.

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Dr. G.Yethirajulu, J.

Dt:14th October, 2004.

RNS.

To

1 Sri N.K.V.S. Kameswara Rao, S/o. Bayyanna Sastry,

Office of the Rajahmundry Municipal Corporation,

The Rajahmundry Municipal Corporation Employees

Coop.Credit Society Ltd., No.B.66, Rajahmundry.
East Godavari District.

2 The Deputy Registrar of the Coop. Societies,

Prakashnagar Rajahmundry East Godavri District.

3. Two CD copies.